

REMARKS

In complete response to the final Office Action dated February 15, 2008 and the Advisory Action dated July 30, 2008, continued examination is respectfully requested. Claims 1-13 remain pending.

Claims 1, 5, 8 and 13 are rejected as being anticipated under 35 U.S.C. §102(e) by U.S. Patent No. 6,530,083 to Liebenow ("Liebenow").¹ This ground of rejection is respectfully traversed.

Claim 1 is amended to recite that "the control unit compares a number of the numeral inputting key entered by the user with a channel number stored the memory to determine whether the number of the numeral inputting key coincides with the channel number stored in memory."

Liebenow provides a user interface that allows a user to select an identity (1) from a list of users, (2) by entering the users name via a keyboard or (3) by using switches that are apparently dedicated to selecting user identities (e.g., a switch labeled USER 1).² However, as discussed in Applicants' previous Reply, Liebenow does not disclose that an input from any of the identity selection mechanisms is compared to a channel number in memory. Accordingly, Liebenow does not anticipate claim 1.

¹ Although claims 8 and 13 are not listed in the header of the rejection, it is believed that these claims are subject to this rejection because the claims are addressed in the body of the rejection.

² Col. 8, lines 20-29.

Applicants' claim 5 recites a control unit that "assigns a predetermined input pattern, that includes at least two digits, by use of the numeral inputting key to the operation mode." When "the user operates the numeral inputting key in the input pattern, refers to the memory to select the operation mode that corresponds to the input pattern."

Because the rejection of claim 5 relies upon the depression of the "User 1" switch once as the claimed input pattern, and claim 5 now specifically recites that the input pattern includes at least two digits, Liebenow does not anticipate claim 5.

Claims 8 and 13 are not anticipated by Liebenow at least by virtue of their dependency from claims 1 and 5.

For at least those reasons set forth above, it is respectfully requested that the rejection of claims 1, 5, 8 and 13 as being anticipated by Liebenow be withdrawn.

Based on the Advisory Action it is believed that claim 7 is rejected for obviousness in view of Liebenow and Official Notice. However, because Liebenow does not disclose all of the elements of claim 1, from which claim 7 depends, Liebenow does not render claim 7 obvious.

Claims 2 and 6 are rejected under 35 U.S.C. § 103(a) as being obvious in view of the combination of Liebenow and U.S. Patent No. 6,177,931 to Alexander et al. ("Alexander"). This ground of rejection is respectfully traversed.

Applicants' claims 2 and 6 recite the use of both an operation key and one of the direction keys to select an operation mode. As previously discussed, Liebenow and Alexander are both silent with respect to the use of two keys for operation mode selection, and instead Liebenow discloses a technique that involves a single key. As also previously discussed, in view of the disclosure of Liebenow that user identity can be selected using a single button, it would be undesirable to modify the combination of Liebenow and Alexander to require the use of more than one button for selection of a user identity.

The Advisory Action states that the motivation to use two buttons is to reduce the number of keys on the remote control. However, this would be achieved by combining Liebenow and Alexander without requiring the use of two keys. Specifically, as illustrated in Figure 5 of Liebenow (reproduced below), a user interface can be provided to allow the selection of a user identity using a pointer or cursor 514.

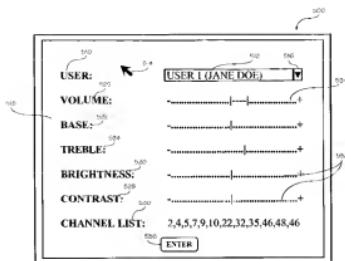
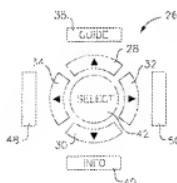


FIG. 5

The directional arrow keys of Alexander are illustrated in Figure 2 (reproduced below).

FIG. 2



As will be recognized, it is very common in the art to use UP and DOWN directional keys to move between selections and LEFT and RIGHT keys to change a particular selection. Thus, one skilled in the art would have combined Liebenow and Alexander to operate in a conventional manner to which most people are accustomed for selecting user identities by relying upon only directional arrow keys. This would achieve the goal stated in the Advisory Action of not requiring additional keys to select user identities, and would also not result in the receiver of Applicants' claims 2 and 6. Adding a requirement to

depress two keys, as is being proposed by the Office Action, would actually complicate the identity selection, and thus would not have been desirable. Accordingly, the rejection of claims 2 and 6 for obviousness in view of the combination of Liebenow and Alexander should be withdrawn.

Claim 3 and 11 are rejected under 35 U.S.C. § 103(a) as being obvious in view of the combination of Liebenow and U.S. Patent No. 5,644,354 to Thompson et al. ("Thompson"). This ground of rejection is respectfully traversed.

Applicants' claim 3 recites that "when the user operates the numeral inputting key to hold the numeral key corresponding to the selection number pressed for at least a predetermined time, refers to the memory to select the operation mode that corresponds to the selection number thus entered."

As discussed above with regard to claims 2 and 6, the selection of user identities of Liebenow could be accomplished using only directional arrow keys, a technique that would be easy for the average person to use because it is a very common technique for changing selections via a television user interface. Thus, the combination of Liebenow and Thompson proposed by the Office Action would result in a less desirable system which requires a complicated process of holding buttons for a period of time, instead of the much simpler technique expressly disclosed by Liebenow, or disclosed in the combination of Liebenow and Thompson.

Accordingly, it is respectfully submitted that one of ordinary skill in the art would not have been motivated to modify Liebenow in the manner described in the Office Action, and the rejection of claim 3 should be withdrawn.

Claim 11 is patentably distinguishable over the combination of Liebenow and Thompson due to its dependency from claim 3.

For at least those reasons set forth above, it is respectfully requested that the rejection of claims 3 and 11 as being obvious in view of the combination of Liebenow and Thompson be withdrawn.

Claims 4 and 12 are rejected under 35 U.S.C. § 103(a) as being obvious in view of the combination of Liebenow and U.S. Patent No. 7,149,969 Thrane (“Thrane”). This ground of rejection is respectfully traversed.

Claim 4 depends from claim 1 and claim 12 depends from claim 5. As discussed above, Liebenow does not disclose or suggest all of the elements of claims 1 and 5. It is respectfully submitted that Thrane does not remedy these deficiencies of Liebenow. Accordingly, the combination cannot render claims 1 and 5, and in turn dependent claims 4 and 12, obvious.

Claim 9 was rejected as being obvious over Liebenow, Alexander and Thrane. Claim 10 was rejected as being obvious over Liebenow, Thompson and Thrane. These grounds of rejection are respectfully traversed.

Serial No. 10/071,196

Amendment Dated: August 13, 2008

Reply to Office Action: February 15, 2008

Attorney Docket No. 010482.50912

Claims 9 and 10 respectively depend from claims 2 and 3. As discussed above, the combination of Liebenow and Alexander does not render claim 2 obvious, and the combination of Liebenow and Thompson does not render claim 3 obvious. It is respectfully submitted that Thrane does not remedy these deficiencies of the combinations of Liebenow and Alexander or Liebenow and Thompson. Accordingly, claims 9 and 10 are patentably distinguishable from the rejections of record at least by virtue of their dependency from claims 2 and 3.

Serial No. 10/071,196
Amendment Dated: August 13, 2008
Reply to Office Action: February 15, 2008
Attorney Docket No. 010482.50912

If there are any questions regarding this response or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket # 010482.50912).

Respectfully submitted,

August 13, 2008



Stephen W. Palan
Registration No. 43,420

CROWELL & MORING, LLP
Intellectual Property Group
P.O. Box 14300
Washington, DC 20044-4300
Telephone No.: (202) 624-2500
Facsimile No.: (202) 628-8844
SWP:crr
6194228